

1st Reading

Legal Publication

Notice is hereby given that the following ordinances (2026-03, 2026-04, 2026-06, 2026-07 and 2026-08) were introduced at the regular council meeting of Stockton Borough held on March 16, 2026. A public hearing for adoption will be held on March 26, 2026(Special Meeting) at 7:00 P.M. via: ZOOM Meeting, whereas Zoom information is posted to the boroughs website at: <http://www.stocktonboronj.us/>

ORDINANCE 2026-03

**AN ORDINANCE OF THE BOROUGH OF STOCKTON
ESTABLISHING LEAD-BASED PAINT HAZARD
INSPECTION REQUIREMENTS FOR RENTAL
DWELLING UNITS**

WHEREAS, pursuant to P.L. 2021, c. 182, as amended by P.L. 2024, c. 74 (N.J.S.A. 52:27D-437.16 et seq.), all municipalities are required to inspect every rental dwelling unit, and in a building consisting of two or three dwellings, the common area within each building that contains a rental dwelling unit, located within the municipality at tenant turnover for lead-based paint hazards or within three years of the effective date of P.L. 2021, c. 182, whichever is earlier; and

WHEREAS, the purpose of these requirements is to prevent the poisoning of residents by requiring that the presence of deteriorated lead-based paint on the interior and exterior of pre-1978 structures be identified and correctly addressed by reducing and controlling lead-based paint hazards which may be present, in order to prevent human exposure to such hazards; and

WHEREAS, it is necessary and in the best interests of the residents of the Borough of Stockton to impose regulations, procedures and standards for the completion of inspections for lead-based paint in rental dwelling units, in order to conform to and ensure compliance with State law.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stockton, County of Hunterdon, as follows:

Section 1. The following standards, procedures and requirements are hereby enacted for purposes of regulating lead-based paint inspections for rental dwelling units in the Borough:

**LEAD-BASED PAINT INSPECTION REQUIREMENTS
FOR RENTAL DWELLING UNITS**

§1. Definitions.

For purposes of this ordinance only, the following words and terms shall have the meaning as used in, and in accordance with, N.J.S.A. 52:27D-437.16 and N.J.A.C. 5:28A-1.1 et seq.:

Common area means the interior portions of a building used for residential rental purposes that are generally accessible to residential tenants, but not including the interior of individual dwelling units. Common areas shall include, but not be limited to, hallways, stairs, foyers, basements, laundry rooms, and the interior of attached or detached garages, if the areas are generally accessible to residential tenants and the areas are not located within the interior of an individual dwelling unit.

Dust wipe sampling means a sample collected by wiping a representative surface and tested, in accordance with a method approved by the United States Department of Housing and Urban Development (HUD) and as conducted pursuant to N.J.A.C. 5:28A-2.3.

Dwelling means a building containing a room or rooms, or suite, apartment, unit, or space that is rented and occupied, or intended to be rented and occupied, for sleeping and dwelling purposes by one or more persons.

Dwelling unit means a single-family living space, including a single family home, or an apartment, room, or rooms within a two-family or multiple-family building, that is occupied or intended to be occupied for sleeping or dwelling purposes by one or more persons living independently of persons in similar dwelling units.

Lead evaluation contractor means a firm certified by the Department of Community Affairs to perform lead inspection and risk assessment work pursuant to N.J.A.C. 5:17. This includes the ability to perform dust wipe sampling.

Lead-safe certification means the certification required under this ordinance, which confirms that a periodic lead-based paint inspection was performed, and no lead-based paint hazards were found. This certification is valid for three years from the date of issuance, in accordance with N.J.A.C. 5:28A-2.4

Periodic lead-based paint inspection means (except as otherwise provided in section 5a of this ordinance), the initial inspection of all applicable dwelling units at the

earlier of three years from the effective date of P.L. 2021, c. 182 (July 22, 2022) or tenant turnover and, thereafter, the earlier of three years or upon tenant turnover, consistent with N.J.A.C. 5:28A-2.1, for the purposes of identifying lead-based paint hazards in dwellings subject to this ordinance.

Remediation means interim controls or lead abatement work undertaken in conformance with this ordinance and applicable law and regulation to address lead-based paint hazards.

Tenant turnover means the time at which all existing occupants vacate a dwelling unit, and all new tenants move into the dwelling unit, or the time at which a new tenant enters a vacant dwelling unit.

§2. The Borough's lead evaluation contractor; ability to hire lead evaluation contractor directly; inspections authorized.

- a. The Borough shall designate a lead evaluation contractor authorized to perform periodic lead-based paint inspections for lead-based paint hazards in every rental dwelling unit and, in a building consisting of two or three dwelling units, the common area within each building that contains a rental dwelling unit in the Borough. The Borough's lead evaluation contractor shall be authorized and empowered to conduct the required periodic lead-based paint inspections required by law, and take such other action on the Borough's behalf as set forth in this ordinance and applicable law.
- b. The owner or landlord (referred to herein as "owner") of a dwelling subject to the inspection requirements of this ordinance shall be permitted to directly hire a lead evaluation contractor of their own selection to conduct the periodic lead-based paint inspections for lead-based paint, subject to compliance with N.J.A.C. 5:28A-2.1(d).

§3. Exemptions.

In accordance with N.J.S.A. 52:27D-437.16(c) and implementing regulations, a rental dwelling unit shall not be subject to inspection and evaluation for the presence of lead-based paint hazards as required by this ordinance if:

- a. The dwelling unit was constructed during or after 1978;
- b. The dwelling unit is a single-family or within a two-family seasonal rental dwelling that is rented for less than six months duration each year by tenants that do not have consecutive lease renewals;
- c. The dwelling unit has been certified to be free of lead-based paint, pursuant to N.J.A.C. 5:17;

- d. The dwelling unit is in a multiple family building that has been registered with the Department of Community Affairs as a multiple family building for at least ten years, either under the current or a previous owner, and has no outstanding lead-based paint violations from the two most recent cyclical inspections performed under the Hotel and Multiple Dwelling Law, P.L. 1967, c.76 (N.J.S.A. 55:13A-1 et seq.); or
- e. Is a dwelling unit that has a valid lead-safe certification issued in accordance with this ordinance.

§4. Dwelling owner responsible for obtaining inspection and payment of fees; applicable fees.

- a. The owner of every rental dwelling unit offered for rental, unless otherwise exempt hereunder, shall be required to obtain an inspection of the unit for lead-based paint hazards as required by this ordinance.
- b. To obtain the required inspection, the owner shall arrange for same with the Borough's lead evaluation contractor or directly hire its own lead evaluation inspector.
- c. The owner shall be responsible for scheduling the inspection and paying all applicable and required fees directly to the contractor. The lead evaluation contractor completing the inspection shall ensure that the proper type of inspection or assessment (i.e., visual assessment or dust wipe sampling, or both) is performed in accordance with N.J.A.C. 5:28A-2.3.
- d. The fee for the cost of the periodic lead-based paint inspection completed by the Borough's lead evaluation contractor shall be as determined by the Borough and lead evaluation contractor annually, and shall be based on the actual cost charged for the inspection. The owner shall pay the Borough's lead evaluation contractor directly for each inspection.
- e. In addition to the foregoing, the Borough shall also charge the owner a fee of \$20.00 per unit inspected by each lead evaluation contractor, unless the owner demonstrates that it has already paid this inspection fee pursuant to the provisions of section 10 at P.L. 2003, c. 311 (N.J.S.A. 52:27D-437.10).
 - 1. When due, the fee paid under this subsection e. shall be paid by the owner to the Borough's lead inspection contractor.
 - 2. The Borough's lead inspection contractor shall submit the fees collected under this subsection e. to the State for deposit into the Lead Hazard Control Assistance Fund established under section 4 at P.L. 2003, c. 311 (N.J.S.A. 52:27D-437.4).

§5. Timing for required inspection.

- a. The initial inspection for rental dwelling units subject to this ordinance shall take place upon tenant turnover or within three years of the effective date of P.L. 2021, c. 182, whichever is earlier. If, upon the effective date of this ordinance, an owner has not completed the required initial inspection, then the owner shall not be in violation of this provision as long as the owner completes the initial inspection for rental dwelling units subject to this ordinance within ninety days of the effective date of this ordinance.
- b. After initial inspection, all such dwelling units shall be inspected for lead-based paint hazards each time there is tenant turnover, or at least once every three years, whichever occurs earlier. However, if the dwelling unit owner has obtained a valid lead-safe certification for the dwelling unit, then inspection of that dwelling unit shall not be required at each tenant turnover during the three-year period the certification is valid.
- c. Each subsequent periodic lead-based paint inspection shall be counted from the most recent inspection which resulted in a valid lead-safe certification.

§6. Notice of tenant turnover to be given; time for Borough to complete inspections.

Whenever any dwelling unit subject to this ordinance is scheduled for a tenant turnover, the owner shall provide the Borough's lead inspection contractor with prior written notice of at least fourteen business days of the date scheduled for tenant turnover and advise whether the owner will hire the Borough's lead evaluation contractor or its own lead evaluation contractor. The owner shall be responsible for scheduling the inspection, ensuring proper access to the dwelling unit and paying the contractor for the inspection. The failure to provide this notice to the Borough in the required time-frame shall be deemed a failure to complete the necessary inspection.

§7. Inspection results.

- a. If the lead evaluation contractor completing an inspection on a dwelling unit finds no lead-based paint hazard, then the contractor completing the inspection shall certify the dwelling unit as lead-safe on the form prescribed by the Department of Community Affairs. The lead-safe certification shall be valid for a period of three years from the date of issuance.
- b. If the lead evaluation contractor completing an inspection on a dwelling unit finds that a lead-based paint hazard exists, then the owner shall be responsible for remediation of the lead-based paint hazard consistent with the requirements of N.J.A.C. 5:28A-2.5, as well as compliance with, and costs associated with, all applicable additional requirements, inspections, abatement and procedures established by N.J.A.C. 5:28A-2.5.

§8. Additional owner responsibilities.

The owner of a dwelling that is subject to the requirements of this ordinance shall:

- a. At the time of tenant turnover, provide to the tenant evidence of a valid lead-safe certification obtained as required hereunder. The owner shall also include a copy of the certification as an exhibit to the tenant's lease.
- b. Maintain a record of the lead-safe certification, which shall include the name or names of a unit's tenants, if inspection was conducted during a period of tenancy.
- c. Inform the Borough's lead inspection contractor of all tenant turnover activity to ensure any required inspection may be scheduled.

§9. Obligations of the Borough.

- a. The Borough shall maintain a record of:
 1. All dwellings subject to the requirements of this ordinance which shall include up to date information on inspection schedules, inspection results and tenant turnover; and
 2. All lead-safe certifications issued hereunder, whether issued by the Borough's lead evaluation contractor or independent lead evaluation contractors hired by owners.
- b. The Borough shall deliver to the Department of Community Affairs a list identifying each dwelling unit inspected and each dwelling unit determined to contain a lead-based paint hazard.

§10. Violations and penalties.

The penalties for violating this ordinance shall be as follows:

- a. If an owner has failed to conduct the required inspection or initiate any required remediation, then the Borough shall issue written notice to the owner that the owner has thirty days to cure the violation.
- b. If the owner fails to cure the violation within the thirty-day period, then the owner shall be subject to a penalty not to exceed \$1,000.00 per week, until the required inspection has been conducted or the remediation efforts have been initiated. Remediation efforts shall be considered to be initiated when the dwelling owner has hired a lead abatement contractor or other qualified party to perform lead-hazard control methods.

2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

3. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

4. Effective Date. This ordinance shall take effect upon its adoption and publication as provided by law.

ORDINANCE NO. 2026-04

**AN ORDINANCE OF THE BOROUGH OF STOCKTON
REDUCING THE WEIGHT LIMIT FOR VEHICLES ON BRIDGE
STREET BETWEEN STATE ROUTE 29 AND CENTRE BRIDGE
TO PENNSYLVANIA**

WHEREAS, the Borough of Stockton recently requested that the New Jersey Department of Transportation (NJDOT) investigate the current commercial weight limit of 33,000 pounds on Bridge Street in the Borough of Stockton, in light of the 5-ton restriction on Centre Bridge to Pennsylvania (which connects Bridge Street to Pennsylvania); and

WHEREAS, NJDOT's Division of Traffic Engineering (Division) completed its investigation of the current weight limit on Bridge Street and factors surrounding it, and by letter dated January 23, 2026, notified the Borough that its findings support the Borough's request to reduce the current weight restriction on Bridge Street to align with the 5-ton limit of the Centre Bridge to Pennsylvania; and

WHEREAS, the Division further determined that this adjustment to the weight limit aligns with requests from Borough officials and enhances traffic safety on Centre Bridge as well; and

WHEREAS, pursuant to N.J.S.A. 39:4-197(1)b., the Borough is authorized to limit the use of streets in the Borough to certain class of vehicles with the Commissioner of Transportation's approval.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stockton in Hunterdon County, New Jersey as follows:

Section 1. Weight Limit – Bridge Street (Between Route 29 and Center Bridge to Pennsylvania). The weight limitation for vehicles on Bridge Street in the Borough of

Stockton between Route 29 and Centre Bridge to Pennsylvania is hereby amended as follows:

Within the jurisdiction of the Borough of Stockton, vehicles having a total combined weight of vehicle plus load more than 5 tons are hereby excluded along Bridge Street between Route 29 and Centre Bridge to Pennsylvania except for the pick-up and delivery of materials or when permitted by applicable regulations and laws.

Section 2. Severability. Each section, subsection, sentence, clause, and phrase of this ordinance is declared to be an independent section, subsection, sentence, clause, and phrase, and finding or holding of any such portion of this ordinance to be unconstitutional, void, or ineffective for any cause or reason shall not affect any other portion of this ordinance.

Section 3. Repealer. All ordinances or parts thereof inconsistent with this ordinance are hereby repealed.

Section 4. Submission to Commissioner of Transportation. Upon adoption, a certified copy of this ordinance with raised seal, along with a statement of concurrence from the Borough Engineer, shall be filed with the Commissioner of Transportation, and to the following addressee:

Jaime M. Oplinger
Director of Traffic Engineering
New Jersey Department of Transportation
1035 Parkway Avenue
PO Box 600
Trenton, NJ 08625

Section 5. Effective Date. This ordinance shall be in full force and effect from and after its adoption and publication as required by law and also upon approval of the Commissioner of Transportation.

ORDINANCE 2026-06

AN ORDINANCE OF THE BOROUGH OF STOCKTON IN HUNTERDON COUNTY, NEW JERSEY, AUTHORIZING AS A GENERAL IMPROVEMENT REPAIRS, IMPROVEMENTS AND PURCHASES RELATING TO THE WATER/SEWER UTILITY INCLUDING BUT NOT LIMITED TO METERS, VALUE REPLACEMENT, LEAK DETECTION, SEWER JETTING (I & I) AND SANITARY SEWER CLEANING/INSPECTION AND APPROPRIATING \$110,000 THEREFOR FROM THE WATER/SEWER UTILITY CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF

BE IT ORDAINED by the Borough Council of the Borough of Stockton in the County of Hunterdon as follows:

SECTION ONE:

The Borough of Stockton, in the County of Hunterdon, State of New Jersey, (the “Borough”) is hereby authorized to make repairs, improvements and/or purchases relating to the water/sewer utility including but not limited to meters, value replacement, leak detection, sewer jetting (I & I) and/or sanitary sewer cleaning/inspection (the “Work”).

SECTION TWO:

The sum of \$110,000.00 is hereby appropriated from the Water/Sewer Utility Capital Improvement Fund of the Borough for the payment of the cost of the Work authorized and described in Section One hereof.

SECTION THREE:

Said Work described in Section One includes improvements that are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said Work shall be made as general improvements and no part of the cost thereof shall be assessed against the property specially benefited.

SECTION FOUR:

The following matters are hereby determined, declared, recited and stated: The said purposes described in Section One of this ordinance are not a current expense and are the property of and the improvement of the Borough of Stockton, County of Hunterdon, State of New Jersey.

SECTION FIVE:

This ordinance shall take effect upon its final passage and publication according to law.

ORDINANCE 2026-07

AN ORDINANCE OF THE BOROUGH OF STOCKTON IN HUNTERDON COUNTY, NEW JERSEY, AUTHORIZING AS A GENERAL IMPROVEMENT REPAIRS, IMPROVEMENTS AND PURCHASES RELATING TO THE STOCKTON SCHOOL BUILDING INCLUDING BUT NOT LIMITED TO DRAINAGE AND, MOLD REMEDIATION IN THE AMOUNT OF \$125,000 THEREFOR FROM THE GENERAL CAPITAL IMPROVEMENT FUND FOR THE FINANCING THEREOF

BE IT ORDAINED by the Borough Council of the Borough of Stockton in the County of Hunterdon as follows:

SECTION ONE:

The Borough of Stockton, in the County of Hunterdon, State of New Jersey, (the “Borough”) is hereby authorized to make repairs, improvements and/or purchases relating to the Stockton School building including but not limited to Drainage and Mold Remediation (the “Work”).

SECTION TWO:

The sum of \$125,000.00 is hereby appropriated from the General Capital Improvement Fund of the Borough for the payment of the cost of the Work authorized and described in Section One hereof.

SECTION THREE:

Said Work described in Section One includes improvements that are lawful capital improvements of the Borough having a period of usefulness of at least five (5) years. Said Work shall be made as general improvements and no part of the cost thereof shall be assessed against the property specially benefited.

SECTION FOUR:

The following matters are hereby determined, declared, recited and stated: The said purposes described in Section One of this ordinance are not a current expense and are the property of and the improvement of the Borough of Stockton, County of Hunterdon, State of New Jersey.

SECTION FIVE:

This ordinance shall take effect upon its final passage and publication according to law.

BOROUGH OF STOCKTON

ORDINANCE 2026-08

AN ORDINANCE INCREASING WATER RATES FOR USERS OF THE BOROUGH OF STOCKTON WATER SYSTEM AND FURTHER AMENDING AN ORDINANCE ENTITLED "AN ORDINANCE PRESCRIBING CHARGES, RENTALS, RULES AND REGULATION FOR THE MUNICIPAL WATER SYSTEM FOR THE BOROUGH OF STOCKTON, COUNTY OF HUNTERDON, STATE OF NEW JERSEY"

WHEREAS, the Borough of Stockton charges users of the Borough of Stockton Water System ("Water System") based on a usage rate of \$4.00 per thousand gallon for all size meters and a flat rate user (annual) charge for all size meters of \$400.00; and

WHEREAS, the current rates have not been increased since 2023; and

WHEREAS, due to the needs of the Water System, including, but not limited to, the need to install and replace water meters and other obligations to meet water supply system needs, it is necessary for the Council to increase the applicable user rate and flat annual user charge at this time.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Council of the Borough of Stockton, County of Hunterdon, as follows:

1. User and Flat Rate Increases. The Borough hereby amends its water system user rates as follows, and to go into effect on April 1, 2026:

The following rates are hereby adopted for the use of water in the Borough of Stockton Water System based on meter readings:

All size meters: A rate of \$4.00 per thousand gallons

The flat rate user charge per year for all size meters is \$500.00.

2. Repealer. All ordinances and resolutions or parts thereof inconsistent with this ordinance are repealed.

3. Severability. If any section, paragraph, subsection, clause or provision of this ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provision so adjudged and the remainder of this ordinance shall be valid and enforceable.

4. Effective Date. This ordinance shall take effect upon its adoption and publication as provided by law.

Introduction: March 16, 2026
Public Hearing/Adoption: March 26, 2026